

Special Restriction
Over Snow Travel Order
USDA - FOREST SERVICE
BLACK HILLS NATIONAL FOREST

Pursuant to 16 United States Code, section 551, and 36 Code of Federal Regulations (CFR) section 261.50(a) and (b), the following acts are prohibited within the Black Hills National Forest, as shown on the attached map hereby incorporated into this Order as Appendix "A" (the restricted area). This order will be in effect annually from Dec 15th through March 31st until rescinded.

- (1) Operating or possessing a wheeled vehicle on any portion of the restricted area on designated snowmobile trail system as depicted on Appendix A, 36CFR261.55(b).
- (2) Operating or possessing an over snow vehicle on any National Forest System road in the restricted area that is closed to such use as depicted on Appendix A or as posted on the ground, 36CFR261.54(a).
- (3) Being in or going into ski areas, wildlife winter range or other areas as depicted on Appendix A, while operating or possessing any over snow vehicle, 36CFR261.53(e) and 36CFR261.53(b).

Pursuant to 36CFR261.50(e), the following are EXEMPT from the order:

- (1) Any Federal, State or local officer, or member of an organized rescue or fire fighting force when in the performance of an official duty.
- (2) Any person or organization with a Forest Service permit specifically authorizing the otherwise prohibited act or omission

Done at Custer, South Dakota, this 12th day of January, 2011.

/s/ Craig Bobzien
CRAIG BOBZIEN
Forest Supervisor

Violations of this prohibition are punishable by imprisonment for not more than six (6) months, a fine of not more than \$5,000 or both. *Title 16, United States Code, Section 551, Title 18, United States Code, Section 3571.*

Management Objectives

This order is needed to provide safety to the public by not allowing wheeled vehicles onto the snowmobile trail system. It also provides safety to the public by not allowing snowmobiles into cross country ski areas or on plowed roads that may be being used by the general public or contractors in performance of their duties.

This order will provide resource protection to wintering wildlife by not allowing over snow vehicles into wildlife winter range areas.

SUBPART B

ORDER REQUEST JUSTIFICATION FORM

ORDER NUMBER: BKF-108-2011

SUBMIT THE FOLLOWING INFORMATION:

1. STATE THE DESIRED ACT: Prohibit wheeled vehicles on the designated snowmobile trails, and prohibit over snow vehicles in ski areas and wildlife winter range areas.
2. REASON FOR THE ORDER: Public safety and resource protection.
3. HAVE OTHER METHODS BEEN TRIED TO RESOLVE THIS PROBLEM? (Y) (N)
 - DESCRIBE: This order is the most effective way to enforce possible public safety and resource problems associated with over snow traffic.
4. PERIOD OF TIME THE ORDER WILL BE IN EFFECT: Dec 15 to March 31st annually.
5. LIST THOSE EXEMPT FROM THE ORDER:

Any Federal, State or local officer, or member of an organized rescue or fire fighting force when in the performance of an official duty.

Any person or organization with a Forest Service permit specifically authorizing the otherwise prohibited act or omission
6. HAS AN ENFORCEMENT PLAN AND SIGN PLAN BEEN ESTABLISHED? (Y) .
 - WHO WILL ENFORCE THE ORDER? LEO's and FPO's
 - WHO WILL ENSURE PROPER SIGNING? State of SD and District Recreation Specialist.
7. WILL THIS ORDER BE REVIEWED ANNUALLY FOR NEED AND PROPER ENFORCEMENT? (Y) .
8. HAS THE PUBLIC BEEN NOTIFIED? (Y)
 - DESCRIBE HOW: Posted on the ground and in maps each year
9. COMPLETE THE ORDER USING THIS CHECKLIST.

When complete, forward the original request to the Supervisor's Office, Attention: Supervisory Law Enforcement Officer. The request will be routed to the appropriate Staff Officer, Public Information Officer, and Forest Supervisor.

<i>Recommended:</i> <u><i>Bonnie Jones</i></u>	<u><i>12/03/2010</i></u>
District Specialist (Bonnie Jones Recreation Specialist)	Date
<i>Reviewed:</i> <u><i>Steve Kozel</i></u>	<u><i>12/09/2010</i></u>
District Ranger, Bearlodge (Steve Kozel)	Date
<i>Reviewed:</i> _____	_____
District Ranger, Hell Canyon (Lynn Kolund)	Date
<i>Reviewed:</i> _____	_____
District Ranger, Mystic (Bob Thompson)	Date
<i>Reviewed:</i> <u><i>Rhonda O’Byrne</i></u>	<u><i>12/08/2010</i></u>
District Ranger, Northern Hills (Rhonda O’Byrne)	Date
<i>Reviewed:</i> _____	_____
South Zone Law Enforcement Officer (Vince Sidders)	Date
<i>Reviewed:</i> <u><i>TJ Friend</i></u>	<u><i>12/06/2010</i></u>
North Zone Law Enforcement Officer (TJ Friend)	Date
<i>Reviewed:</i> <u><i>Nancy Martinz</i></u>	<u><i>01/10/2011</i></u>
North Zone Patrol Captain (Nancy Martinz)	Date
<i>Reviewed:</i> <u><i>Kenneth Pitt</i></u>	<u><i>01/10/2011</i></u>
Office of General Counsel	Date
<i>Reviewed:</i> _____	_____
Public Information Officer (Frank Carroll)	Date
<i>Reviewed:</i> _____	_____
Forest Staff Officer (Rick Hudson)	Date